HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition no. 732 (S/S) 2006

Girish Chandra Lohni S/o late Shiv Dutt Lohani,
Passenger Tax Superintendent,
Regional Transport Officer, Dehradun. ------Petitioner.

Versus

1. Transport Commissioner, Uttaranchal,
   228, Mohit Nagar, Dehradun,
2. Additional Transport Commissioner,
   Uttaranchal, Dehradun,
3. Assistant Transport Commissioner,
   Uttaranchal, Dehradun,
4. Regional Transport Officer, Dehradun. --------Respondents.

Mr. Ravindra Singh Bisht, Adv. for the petitioner,
Sri Paresh Tripathi, learned Standing Counsel for the respondents/State.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Ravinder S. Bisht, learned counsel for the petitioner and Sri Paresh Tripathi, learned Standing Counsel for the State/respondents.

The present writ petition has been filed by the petitioner for the following reliefs:

i. Issue a writ, direction or order in the nature of certiorari by quashing the order dated 19.05.2006 (annexure-5 to the writ petition) passed by respondent no.1,

ii. Issue a writ, order or direction in the nature of mandamus directing the respondents to compensate the petitioner for the harassment caused to him due to the illegal suspension order,

iii. Issue any suitable writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case,

iv. Award the cost of writ petition to the petitioner.

Vide order dated 19.05.2006, passed by respondent no. 1, the petitioner who was working as passenger Tax Superintendent at check post Kuthalgate, Dehradun was placed under suspension and the Additional Transport Commissioner, Uttaranchal, Dehradun was appointed as Inquiry Officer.

The respondents have filed short counter affidavit. In para-6 & 7 of the counter affidavit, the respondents have stated that prior to filing of the writ petition on 6th June 2006, the petitioner has been reinstated in his services by the Department vide order dated 5th June 2006, however the Department Inquiry against the petitioner is pending.

Since the suspension order has been revoked and the petitioner has been reinstated in the service, it is expected form respondents that they will conclude the Departmental Inquiry initiated against the petitioner at the earliest and shall pass final order preferably within a period of four months form the date of production of a certified copy of this order by the petitioner before the respondents.

With these directions, the writ petition is disposed of.

(M.M. Ghildiyal, J.)

August 2, 2006;
NCM: